

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
COOKEVILLE DIVISION**

**PATRICK JOSEPH MONAHAN, JR.,**

**Plaintiff,**

**v.**

**COMMISSIONER, SOCIAL  
SECURITY ADMINISTRATION,**

**Defendant.**

**NO. 2:18-cv-00026**

**CHIEF JUDGE CRENSHAW**

**ORDER**

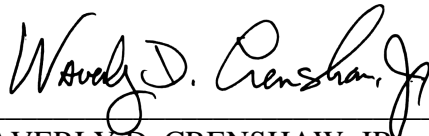
Pending before the Court is a Report and Recommendation (Doc. No. 14) in which the Magistrate Judge concludes that the Court should deny Patrick Joseph Monahan, Jr.'s motion for judgment on the administrative record (Doc. No. 11) and affirm the final decision of the Commissioner denying Monahan Disability Insurance Benefits. No objections have been filed. Nevertheless, the Court has reviewed the Magistrate Judge's analysis.

The District Court is limited to determining whether the Commissioner's decision is supported by substantial evidence and was made pursuant to proper legal standards. Cole v. Astrue, 661 F.3d 931, 937 (6th Cir. 2011). Substantial evidence is "such relevant evidence as a reasonable mind might accept as adequate to support a conclusion." Heston v. Comm'r of Soc. Sec., 245 F.3d 528, 534 (6th Cir. 2001). "The substantial evidence standard . . . presupposes that there is a zone of choice within which the decisionmakers can go either way, without interference by the courts." Blakley v. Comm'r of Soc. Sec., 581 F.3d 399, 406 (6th Cir. 2009) (quoting Mullen v. Bowen, 800 F.2d 535, 545 (6th Cir. 1986)). Thus, the Court must affirm the Commissioner's decision if it is based on substantial evidence, even if there is substantial evidence that would also have supported an opposite conclusion. Colvin v. Barnhart, 475 F.3d 727, 730 (6th Cir. 2007).

The Court agrees with the Magistrate Judge's conclusions. First, the Court finds that the Magistrate Judge correctly explained how the ALJ considered the VA's disability's decisions and permissibly assigned weight to them. Second, the Magistrate Judge carefully set forth how the ALJ considered Monahan's complaints in the context of the record as a whole. The Court is satisfied that, at the very least, the ALJ's determination was reasonable based upon an allowable consideration of record evidence and fell within the permissible "zone of choice" within which the ALJ could "go either way, without interference by the courts." Blakley v. Comm'r of Soc. Sec., 581 F.3d 399, 406 (6th Cir. 2009). It is thus inappropriate to disturb the ALJ's conclusions.

Accordingly, the Report and Recommendation (Doc. No. 14) is **APPROVED AND ADOPTED**. The motion for judgment on the administrative record (Doc. No. 11) is **DENIED** and the final decision of the Commissioner is **AFFIRMED**. The Clerk shall enter judgment under the Federal Rules of Civil Procedure and close the case.

IT IS SO ORDERED.

  
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WAVERLY D. CRENSHAW, JR.  
CHIEF UNITED STATES DISTRICT JUDGE